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A
REMONSTRANCE
of the State of the
KINGDOME.

Agreed on
By the LORDS and COMMONS
Assembled in Parliament the 19. Of May 1642.
And Published by Order of both Houses.

H. ELSYNG Cler. Parl. D. Com.



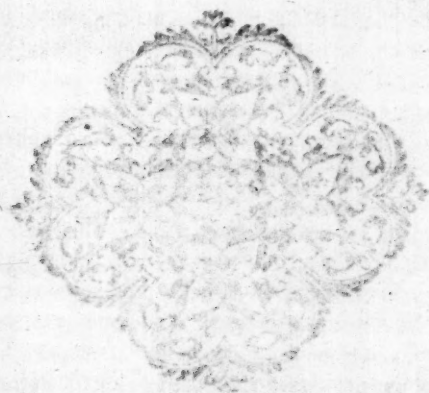
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H. B. S. Y. N. C. L. P. A. L. D. C. O. M. M.



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A
REMONSTRANCE
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KINGDOME.

THe infinite Mercy and Providence of the Almighty God hath been abundantly manifested since the beginning of this Parliament in great variety of protections and blessings, whereby hee hath not onely delivered us from many wicked plots and designs, which if they had taken effect, would have brought ruine and destruction upon this Kingdome, but out of those attempts have produced divers evident and remarkable advantages to the furtherance of those services which we have beene desirous to performe to our Sovereigne Lord the King, and to this Church and State in providing for the publique peace and prosperity of his Majesty and all his Realmes, which in the presence of the same All-seeing Deity, we protest to have beene, and still to be the onely end of all our counsell and endeavours wherein we have resolved to continue freed and enlarged from all private aimes, personall respects, or passions whatsoever.

In which Resolution, we are nothing discouraged al-

though the heads of the Malignant party disappointed of that prey, the *Religion* and *Liberty* of this Kingdome, which they were ready to seize upon and devour before the beginning of this Parliament, have still persisted by new practices, both of force and subtilty, to recover the same againe; for which purpose, they have made severall attempts for the bringing up of the Army, they afterwards projected the false accusation of the Lord *Kimbeldon*, and the five members of the House of Commons, which bring in it selfe of an odious nature, they yet so farre prevailed with his Majesty, as to procure him to take it upon himselfe; but when the inchangeable duty and faithfulness of the Parliament could not be wrought upon by such a fact of that to withdraw any part of their reverence and obedience from his Majesty, they have with much art and industry, advised his Majesty to suffer divers unjust scandalls and imputations upon the Parliament to be published in his name, whereby they might make it odious to the people, and by their helpe to destroy that which hitherto hath beene the onely meanes of their owne preservation: *It didd w. 200000*

For this purpose they have drawn his Majesty into the Northerne parts farre from the Parliament, that so false rumors might have time to get credit, and the just defences of the Parliament find a more tedious difficult and disadvantageous successe; after those false imputations and slanders had beene first rooted in the apprehension of his Majesty and his Subjects, which the more speedily to effect, they have caused a Presse to be transported to *Yorke*, from whence severall *Papers* and *writings* of that kinde are conveyed to all parts of the Kingdome without the authority of the great Seale in an unusuall and illegall manner, and without the advice of his Majesties privie Councell from the greater and better part whereof

whereof having withdrawne himselfe, as well as from his great Councell of Parliament, he is thereby exposed to the wicked and unfaithfull counceels, of such as have made the Wisedome and Justice of the Parliament dangerous to themselves, and this danger they labour to prevent by hiding their owne guilt under the name and shadow of the King, infusing into him their owne feares, and as much as in them lyes, aspersing his royall Person and Honour with their owne infamy, from both which, it hath alwayes bene as much the care, as it is the duty of the Parliament to preserve his Majestie, and to fixe the guilt of all evill Actions and Councels upon those who have bene the Authors of them.

Amongst divers Writings of this kind, We the Lords and Commons in Parliament have taken into our consideration two printed Papers, the first containing a Declaration, which they received from his Majesty in Answer to that which was presented to his Majesty from both Houses of Parliament at *Newmarket*, the ninth of *March*, 1641. The other his Majesties Answer to the Petition of both Houses presented to his Majesty at *Yorke*, the 26. of *March*, 1642. Both which are filled with harsh censures and causelesse charges upon the Parliament, concerning which, Wee hold it necessary to give satisfaction to the Kingdome, seeing we finde it very difficult to satisfie his Majesty, who to our great grieve we have found to be so engaged to, and possessed by those misapprehensions which evil counsellors have wrought in him, that our most humble and faithfull Remonstrances have rather irritated and embittered, then any thing allayed or mitigated the sharpe expressions which his Majesty hath bene pleased to make in Answer unto them; for the manifestation whereof, and of our owne
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innocency,

innocency, wee desire that all his Majesties loving Subjects may take notice of these particulars.

We know no occasion given by us which might move his Majesty to tell us, that in our Declaration presented at *Newmarket*, there were some expressions different from the usuall Language to Princes: neither did wee tell his Majesty in words, or in effect, that if hee did not joyne with us in an Act which his Majesty conceived might prove prejudiciall and dangerous to himselfe and the whole Kingdome, we would make a Law without him, and impose it upon the people. That which we desired, was, that in regard of the eminent danger of the kingdome the *Militia* for the security of his Majesty and his people, might be put under the command of such noble and faithfull Persons, as they had all cause to confide in; and such was the necessity of this prevention, that wee declared, that if his Majesty should refuse to joyne with us therein, the two houses of Parliament being the Supreme Court and highest Councell of the Kingdome were enabled by their owne Authority, to provide for the repulsing of such eminent and evident danger, not by any new Law of their owne making, as hath beene untruly suggested to his Majesty but by the most ancient Law of this Kingdome, even that which is fundamentall and essentiall to the constitution and subsistence of it.

Although we never desired to encourage his Majesty to such replies as might produce any contestation betwixt him and his Parliament, of which we never found better effect, then losse of time, and hinderance of the publique affaires; yet we have, beene farre from telling him of how little value his words would be with us, much lesse when they are accompanied with actions of

your humble

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Love.

Love and Justice; his Majesty hath more reason to finde fault with those wicked Councillors, who have so often bereaved him of the honour, and his people of the fruit of many gracious speeches which he made to them, such as those in the end of the last Parliament; *That in the word of a King, and as he was a Gentleman, he would redresse the grievances of his people, as well out of Parliament as in it*; where the searching the Studies and Chambers, yea, the Pockets of some, both of the Nobility and Commons the very next day: The commitment of Master Bellasis, Sir John Hotham and Master Crew, the continued oppessions of Ship-money, Coat and Conduct money, with the manifold imprisonments and other vexations thereupon, and other insuing violations of the Laws and Liberties of the Kingdome (all which were the effects of evill Councell, and abundantly declared in our generall Remonstrance of the State of the Kingdome) Actions of Love & Justice sutable to such words as these.

As gracious was his Majesties speech in the beginning of this Parliement, *That hee was resolved to put himselfe freely and clearely upon the love and affection of his English Subjects*; whether his causelesse complaints and jealousies, the unjust imputations so often cast upon his Parliement, his deniall of their necessary defence by the Ordinance of the *Militia*, his dangerous absenting himselfe from his great Councell, like to produce such a mischievous division in the Kingdome have not beene more sutable to other mens evill counsels, then to his own Words will easily appeare to any indifferent judgement.

Neither have his latter speeches beene better used and preserved by these evill and wicked Councillors. Could any words be fuller of Love and Justice, then those in the Answer to the Message sent to the House of

Commons the 31. of December, 1641. we doe engage unto you solemnely the word of a King, that the security of all and every one of you from violence is, and ever shall be, as much our care as the preservation of us and our Children; and could any Actions be fuller of injustice and violence, then that of the Attourney, generall infalsly accusing the Members of Parliament, and the other proceedings thereupon within three or foure dayes, after that Message for the full view whereof; let the Declaration made of those proceeding be perused, and by those instances we could adde many more;) Let the world judge who deserves to be taxed with disvaluing his Majesties words; They who have as much as in them lies stained and sullied them with such fowle Councells or the Parliament, who have ever manifested with joy and delight, their humble thankfulnessse for those gracious words and Actions of Love and Justice, which have beene conformable thereunto.

The King is pleased to disavow the having any such evill Councill or Councillors, as are mentioned in our Declaration to his knowledge; and we hold it our duty, humbly to avow there are such, or else we must say, that all the ill things done of late in his Majesties name, have beene done by himselfe, wherein we should neither follow the direction of the Law, nor the affection of our owne hearts, which is as much as may be to cleare his Majesty from all imputation of misgovernment, and to lay the fault upon his Ministers: The false accusing of sixe Members of Parliament, the justifying Master Attourney in that false accusation, the violent comming to the House of Commons, the denyall of the Militia, the sharpe Message to both Houses, contrary to the customes of former Kings; The long and remote absence of his Majesty

Majesty from Parliament, the heavy and wrongfull taxes upon both Houses, the cherishing and countenancing a discontented party in the Kingdom against them, these certainly are the fruits of very ill-Councell, apt to put the Kingdome into a combustion, to hinder the supplies of *Ireland*, and to countenance the proceedings and pretensions of the Rebels there, and the *Authors* of these evill Councell, we conceive must needs bee knowne to his Majesty, and wee hope our labouring with his Majesty to have these discovered, and brought to a just censure will not so much wound his Honour in the opinion of his good Subjects, as his labouring to preserve and conceale them.

And whereas his Majesty saith, *He could wish that his own immediate Actions which hee avowes on his owne Honour, might not be so roughly censured under this Common Style of evill Counsellors*; Wee could also heartily wish, that wee had not cause to make that style so common, but how often and undutifully soever these wicked Counsellors fix their dishonour upon the King, by making his Majestie the Author of those evill Actions, which are the effects of their owne evill Counsell, we his Majesties Loyall and dutifull Subjects can use no other Style according to that Maxime in the Law, the King can doe no wrong, but if any ill be committed in matters of State, the Councell if in matters of Justice, the Judges must answer for it.

Wee lay no charge upon his Majesty which should put him upon that *Apologie*, concerning his faithfull, and zealous Assertion of the Protestant Profession, neither doth his Majesty endeavour to cleere those in greatest authority about him, by whom (we say) that designe hath bin potently carryed on for divers yeares,

and we rather wish that the mercies of Heaven, then, the Iudgements may be manifested upon them, but that there have beene such, there are so plentifull, and frequent Evidences, that wee beleeve there is none either Protestant or Papist, who hath had any reasonable view of the passages of latter times, but either in feare or hope, did expect a sudden issue of this designe.

We have no way transgressed against the Act of Oblivion; by remembering the intended *Warre* against *Scotland*, as a branch of that designe to alter *Religion*, by those wicked Counsellors from which God did then deliver us, which we ought never to forget.

That the Rebellion in *Ireland* was framed and cherisht by the Popish and malignant party in *England*, is not only affirmed by the Rebels, but may be cleared by many other proofes; The same rebellious Principles of pretended *Religion*, the same politique ends are apparant in both, and their malicious designs, and practises are mask't and disguised with the same false Colours, of their earnest zeale to vindicate his *Majesties* Prerogative from the supposed oppression of the Parliament. How much these trecherous pretences have bin countenanced by some evill Counsellors about his Majesty may appeare in this, that the Proclamation whereby they were declared Traitors, was so long with held, as to the second of *January*, though the Rebellion broke forth in *October* before, and then no more but forty Coppies appointed to be printed with a speciall Command from his Majesty, not to exceed that number, and that none of them should be published till his Majesties pleasure were further signified, as by the warrant appears a true Coppy, whereof hereunto is added

added, so that a few onely could take notice of it, which was made more observable by the late contrary proceedings against the *Scots*, who were in a very quick and sharp manner proclaimed, and those proclamations forth with dispersed with as much diligence as might bee, thorough all the Kingdome, and ordered to bee read in all Churches, accompanied with publick prayers, and execrations, and other evidence of favour, and countenance of the Rebells, in some of power about his Majestie, is this that they have put forth in his Majesties name, a causelesse complaint against the Parliament, which speaketh the same Language of the Parliament which the Rebells doe, thereby to raise a belief in mens mindes, that his Majesties affections are alienated aswell as his Person is removed from that his great Councell; all which doth exceedingly retard the supplies of *Ireland*, and more advance the proceedings of the Rebells, then any Jealousie or misapprehension begotten, in his Subjects, by the Declaration of the Rebells, Injunction of *Rossie*, or Information of *Trestrane*, *Whiscombe*, so that considering the present state and temper of both Kingdomes, his Royall presence is farre more necessary here then it can bee in *Ireland* for redemption or Protection of his Subjects there.

And whether there bee any cause of his Majesties great indignation for being reproach'd, to have intended force or threatening to the Parliament. We desire them to consider who shall read our Declaration, in which there is no word tending to any such reproach, and certainly we have beene more tender of his Majesties Honour in this point, then he whosoever he was that did write this Declaration, wherein his Majesties name

*His Majesty
not charged
with intentions
of any force.*

name He doth call God to witnesse, he never had any such thought, or knew of any such resolution of bringing up the Army which truly will seeme strange to those, whos shall read the deposition of Mr. Goring, Information of Master Percy, and divers other examinations, of Master Wilmor, Master Pollard and others, the other Examination of Capraine Legg, Sir Jacob Asbley, Sir John Connyers, and consider the condition and nature of the Petition, which was sent unto Sir Jacob Asbley under the Approbation of *Carolus Rex*, which his Majesty doth now acknowledge to be his owne hand, and being full of scandall to the Parliament, might have proved dangerous to the whole Kingdome, if the Army should have interposed betwixt the King, and them as was desired.

*Mr. Termins
escape by his
Majesties
Warrant.*

We doe not affirme that his Majesties Warrant was granted for the passage of Master *Termin*, after the desire of both Houses for restraint of his Servants, but onely that he did passe over after that restraint, by vertue of such a Warrant. Wee know the Warrant bears date the day before our desire, yet it seemes strange to those who know how great a respect and power Mr. *Germine* had in Court, that hee should begin his journey in such haste, & in apparell so unfit for travel, as a black Satin suit and white bootes, if his going away were designed the day before.

The accusation of the Lord *Kimbolton*, and the five Members of the House of Commons, is called a breach of Priviledge; & truly so it was, and a very high one, far above any satisfaction that hath beene yet given; how can it be said to be largely satisfied, so long as his Majesty labours to preserve Master *Attorney* from punishment, who was the visible Actor in it so long as his Majesty

jestie hath not onely justified him, but by his Letter declared that it was his duty to accuse them; and that hee would have punished him, if hee had not done it, so long as these members have not the meanes of clearing their innocency, and the Authors of that malicious charge undiscovered, though both Houses of Parliament have severall times petitioned his Majestie to discover them, and that not onely upon grounds of common justice, but by act of Parliament his Majestie is bound to doe it, so long as the King refuseth to passe a Bill for their discharge, alledging that the Narrative in that Bill is against his honour, whereby he seemes still to avow the matter of that false and scandalous accusation, though he deferrs the prosecution, offering to passe a Bill for their acquittall yet with intimation that they must desert the avowing their owne innocency, which would more wound them in honour, then secure them in Law.

And in vindication of this great Priviledge of Parliament, we doe not know that wee have invaded any priviledge belonging to his Majesty, as is alledged in this Declaration: But we looke not upon this onely in the notion of a breach of priviledge, which might be, though the accusation were true or false; but under the notion of a heynous crime in the *Attourney*, and all other Subjects who had a hand in it; a crime against the Law of Nature, against the rules of Justice, that innocent men should be charged with so great an offence as Treason in the face of the highest Judicatory of the Kingdome, whereby their lives and estates, their blood and honour are endangered without witnesses, without evidence, without all possibility of reparation in a legall course, yet a crime of such a nature, that his Majesties command can no more warrant then it can any other

Act of Injustice; It is true that those things which are evill in their owne nature, such as a false testimony or false accusation cannot be the subject of any command or, or induce any obligation of obedience upon any man by any Authority whatsoever; therefore the *Attorney* in this case was bound to refuse to execute such a command unlesse hee had some such evidence or Testimony as might have warranted him against the parties, and be liable to make satisfaction if it should prove false; and it is sufficiently knowne to every man and adjudged in Parliament that the King can be neither relator, informer, nor witnesse; if it rest as it is without further satisfaction, no future Parliament can be safe; but that the members may be taken and destroyed at pleasure, yea, the very principles of Government and Justice will be in danger to be disobeyed.

Wee doe not conceive that numbers doe make an assembly unlawfull, but when either the end or manner of their carriage shall be unlawfull; divers just occasions might draw the Citizens to *Westminster*, where many publique and private Petitions, and other causes were depending in Parliament, and why that should be found more faulty in the Citizens, then the resort of great numbers every day in the terme to the ordinary Courts of Justice, we know not: that these Citizens were notoriously provoked and assaulted at *Westminster* by Colonel *Lunsford*, Captaine *Hide*, with divers, and by others, and by some of the servants of the Archbishop of *York*, is sufficiently proved, and that afterward they were more violently wounded, and most barbarously mangled with swords by the officers and souldiers neere *White-hall*, many of them being without weapons, and giving no cause of distaste, as is likewise proved by severall testimonies,

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ours.

monies, but of any scandalous or feditious misdemeanors of theirs that might give his Majesty good cause to suppose his owne Person, or those of his royall Consort, or Children to be in apparant danger, wee have had no prooffe ever offered to either House; and if there had beene any complaint of that kinde, it is no doubt, the Houses would have been as forward to joyne in an Order for the suppressing of such tumults as they were: not long before upon another occasion when they made an Order to that purpose, whereas those officers and souldiers which committed that violence upon so many of the Citizens at *Whitchhall* were cherish'd and fostered in his Majesties house, and when not long after the common Councel of *London* presented a Petition to his Majestie for reparation of those injuries, his Majesties Answer was, without hearing the prooffe of the complaints, that if any Citizens were wounded or ill intreated his Majestie was confidently assured that it happened by their owne evill and corrupt demeanour, wee hope it cannot be thought contrary to the duty and wisdom of a Parliament, if many concurring and frequently reiterated & renewed advertisements from *Rome, Venice, Paris*, and other parts, of the solicitation of the *Popes Nuncio* and our own discontented fugitives doe make us jealous and watchfull for the safety of the *State*; and wee have beene very carefull to make our expressions thereof so easie and so plaine to the capacities and understanding of the people, that nothing might justly sticke with them, with reflection upon the Person of his Majesty, wherein we appeale to the iudgement of any indifferent person, who shall read and peruse our owne words.

We must maintaine the grounds of our feares to be of that moment that wee cannot discharge the trust and

duty which lies upon us, unlesse we doe apply our selves to the use of those meanes to which the Law hath enabled us in cases of this nature for the necessary defence of the Kingdome; and as his Majesty doth graciously declare the Law shall be the measure of his power, so do we most heartily professe, that we shall alwayes make it the rule of our obedience.

The next point of our Declaration was with much caution artificially passed over by him, who drew his Majesties Answer, it being indeed the foundation of all our misery, and his Majesties trouble, that he is pleased to heare generall taxes upon his Parliament without any particular charge, to which they may give satisfaction, and that he hath often conceived displeasure against particular persons upon mis-information, and although those informations have beene clearly proved to be false, yet he would never bring the accusers to question, which, layeth an impossibility upon honest men, of clearing themselves, and gives encouragement unto false and unworthy persons to trouble him with untrue and groundlesse informations?

Three particulars we mentioned in our Declaration, which the Penner of that Answer had good cause to omit, the words supposed to be spoken at *Kensington* the pretended Articles against the *Queene*; and the groundlesse accusation of the sixe Members of the Parliament, there being nothing to be said in defence or deniall of any of them. Concerning his Majesties desire to ioyne with his Parliament, and with his faithfull Subjects in defence of Religion, and publique good of the Kingdome, we doubt not but he will doe it fully, when evill Councillors shall be removed from about him, and untill that be, as we shewed before of words, so must we
also

also say of Lawes that they cannot secure us, witnesse the Petition of Right, which was followed with such an inundation of illegall taxes that we had just cause to thinke that the payment of 20000^l. was an easie burthen to the common-wealth in exchange of them, and we cannot but iustly thinke that if there be a continuance of such ill Councillors, and favour to them, they will by some wicked devise or other make the Bill for the Trienniall Parliement, and those other excellent Lawes mentioned in his Maiesties Declaration of of lesse value then words.

That excellent Bill for the continuance of this Parliement was so necessary, that without it, wee could not have raised so great summes of money for the service of his Maiesty and the Common-wealth as wee have done; and without which, the ruine and destruction of the Kingdome must needs have followed; and wee are resolved the gracious favour of his Maiesty expressed in that Bill, and the advantage and security which thereby we have from being dissolved, shall not encourage us to doe any thing which otherwise had not bene fit to be done, and we are ready to make it good before all the world, that although his Maiesty hath passed many Bills very advantageous for the Subiect, yet in none of them have we bereaved his Maiesty of any necessary or profitable prerogative of the Crowne.

Wee so earnestly desire his Maiesties returne to *London*, that upon it we conceive, depends the very safety and being of both his Kingdomes; and therefore we must protest, that as for the time past, neither the government of *London*, nor any Lawes of the Land have lost their life and force for his security: So for the future, wee shall be ready to doe or say any thing that may stand with the Duty or Honour of a Parliement, which may raise a mutuall confidence betwixt his Maiestie and us, as wee doe wish, and as the affaires of the Kingdome doe require.

Thus farre the Answer to that which is called his Majesties Declaration hath led us. Now we come to that which is intituled *His Majesties Answer to the Petition of both Houses*, presented to him at Yorke 26. Martij; 1642. In the beginning whereof his Majesty wisheth, *That our Priviledges on all parts were so stated that this way of correspondence might be preserved with that freedome which hath bene used of old*: Wee know nothing introduced by us that gives any impediment hereunto; neither have wee affirmed our *Priviledges* to be broken, when his Maiesty denies us any thing, or gives a reason why he cannot grant it; or that those who advised such denyall, were enemies to the Peace of the Kingdome, and Favourers of the *Irish Rebellion*, in which aspercion that is turned into a generall assertion, which in our Votes is applied to a particular case: Wherefore we must maintaine our Votes, That those who advised his Maiesty, to contradict that which both Houses in the Question concerning the *Militia* had delared to be Law, and command it should not so be obeyed, is a high Breach of Priviledge; and that those who advised his Maiesty to absent himselfe from his Parliament, are enemies to the Peace of the Kingdome, and lustly to be suspected to bee Favourers of the Rebellion in *Ireland*. The reasons of both are evident, because in the first there is as great a derogation from the Trust and Authority of Parliament, and in the second as much advantage to the Proceedings and hopes of *Rebels* as may be, and we hold it very causlesse imputation upon the Parliament, that we have herein any way impeached, much lesse taken away the *freedom* of his *Majesties votes* which doth not import a liberty for his Maiesty to deny any thing how necessary soever for the preservation of the Kingdome, much lesse a Licence to evill Councillors to advise any thing though never so destructive to his Maiesty and his People.

By the Message of the 20th. of *January* his Majesty did propound

propound to both Houses of Parliament, that they would with all speed fall into a serious consideration of all these particulars which they should hold necessary, as well for the upholding and maintaining his Majesties just and Regall Authority, and for the present and future establishing our Priviledges, the free and quiet enjoying our estates, the Liberties of our Persons, the security of the true Religion professed in the Church of *England*, and the settling of Ceremonies in such a manner, as may take away all just offence, and to digest it into one intire body.

To that point of upholding and maintaining his Royall Authority, wee say nothing hath beene done to the prejudice of it that should require any new Provision; To the other of settling the Revenew, the Parliament hath no way abridged or disordered his just Revenue, but it is true, that much wast and confusion of his Majesties estate, hath beene made by those evill and unfaithfull Ministers, whom he hath imployed in the managing of it, whereby his owne ordinary expences would have beene disappointed and the safety of the Kingdome more indangered, if the Parliament had not in some measure provided for his Household, and for some of the affaires more then they were bound to doe, and they are still willing to settle such a Revenue upon his *Majesty*, as may make him live Royally, plentifully and safely, but they cannot in wisdom and and fidelity to the Common-wealth, doe this till hee shall choose such Councillours, and Officers as may order and dispose to the publick good, and not apply it to the ruine and destruction of his people as heretofore it hath been, but this and the other matters concerning our selves being workes of great importance, and full of intricacy, will require so long a time of deliberation, that the Kingdome might bee ruined before wee effect them, wherefore wee thought it necessary first to be suitors to his *Majesty*, so to order

order the *Militia*, that the Kingdome being secured, wee might with more ease and safety apply our selves to debate of that Message, wherein we have beene interrupted by his Majesties deniall of the Ordinance, concerning the same, because it would have beene in vaine for us to labour in other things, and in the meane time to leave our selves naked to the malice of so many enemies, both at home and abroad, yet we have not been altogether negligent of those things, which his Majesty is pleased to propound in that Message, wee have agreed upon a Booke of Rates in a larger proportion then hath beene granted to any of his Majesties Predecessors, which is a considerable support of his Majesties publick charge, and have likewise prepared divers propositions and Bills for preservation of our *Religion*, and liberties, which we intend shortly to present to his Majesty, and to doe whatsoever is fit for us, to make up this unpleasent breach betwixt his Majesty and the Parliament.

Whereas divers exceptions are here taken concerning the *Militia*, first that his Majesty never denied the thing but accepted the persons, (except for Corporations) onely that he denyed the way; to which we answer that exception takes off *London*, and all other great Townes and Cities which make a great part of the Kingdome, and for the way of Ordinance it is ancient, more speedy more easily alterable, and in all these and other respects more proper, and more applicable to the present occasion, then a Bill which his Majesty calls the only good old way, of imposing upon the Subjects, it should seeme that neither his Majesties Royall Predecessors, nor our Ancestors, have heretofore beene of that opinion, for 37. *An. Edw. 3.* We finde this Record, the Chancellour made declaration of the challenge of the Parliament, The King desires to know the grieve of his Subjects, and to redresse Inormities; The last day of the Parliament, the King demanded of the whole estates

estates, whither they would have such things as they agreed on, by way of Ordinance or Statute, who answered by way of Ordinance, for that they may amend the same at their pleasures and so it was.

But his Majesty objects further, that there is some what in the preface, to which he could not consent with Justice to his Honour and Innocency, and that thereby hee is excluded from any power in the disposing of it, these objections may seeme somewhat, but indeed will appeare nothing when it shall be considered, that nothing in the Preamble layes any charge upon his Majesty, nor in the Bodie of that Ordinance that excludes His Royall Authoritie in the disposing or execution of it, but onely it is provided that it should bee signified by both Houses of Parliament, as that Channell through which it will be best derived, and most certainly to those ends for which it is intended, and let all the world judge, whether we have not reason to insist upon it, that the Strength of the Kingdome should rather be ordered according to the Direction and Advice of the great Counsell of the Land, equally intrusted by the King and the Kingdome, then that the safety of the King, Parliament and Kingdome should bee left at the Devotion of a few unknowne Concellours, many of them not intrusted at all by the King in any publick way, nor at all confided in by the Kingdome.

We wish the danger were not imminent or not still continuing; but cannot conceive that the long time spent in this debate, is evidence sufficient, that there was no such necessity or danger, but a Bill might easily have beene prepared; for when many causes doe concur to the danger of a State, the interruption of any one may hinder the execution of the rest; and yet the Designe be still kept afoot for better opportunities. Who knowes whether the ill successe of the *Rebels* in *Ireland* have not hindered the In-

surrection of the Papists here? Whether the preservation
 of the six Members of the Parliament falsely accused,
 have not prevented the Plot of the breaking the neck of
 the *Parliament*; of which wee were informed from *France*
 not long before they were accused, Yet since his *Majestie*
 hath beene pleased to expresse his pleasure, rather for a Bill
 then an Ordinance, and sent in one for that purpose, wee
 readily entertained it, and with some small and necessary
 alterations speedily passed the same. But contrary to the
 custome of Parliament and our expectation grounded upon
 his Majesties owne invitation of us to that way, and the
 other reasons manifested in our Declaration concerning
 the *Milinia* of the 5. of *May*; in stead of his Royall assenwe
 met with an absolute refusall.

If the matter of these our *Votes* 15. and 16. of *March* be
 according to Law, we hope his Majestie will allow the Sub-
 jects to be bound by them, because he hath said he will make
 the Law the rule of his power.

And if the Question bee whether that be Law which the
Lords and *Commons* have once declared to be so; who shall
 be the Judge? not his Majestie; for the King judgeth not
 of matters of Law but by his Courts, and his Courts though
 sitting by his authority, expect not his assent in matters of
 Law; not any other Courts, for they cannot judge in that
 case, because they are inferiour, no appeal lying from
Parliament; The judgement whereof is in the Eye of the
 Law, the Kings judgement in his highest Court, though the
 King in his Person be neither present nor assenting there-
 unto.

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The Votes at which His Majestie takes Exceptions are these.

1. **T**hat the Kings absence so farre remote from his Parliament is not onely an Obstruction, but may be a destruction to the affaires of Ireland.
2. That when the Lords and Commons shall declare what the Law of the Land is to have this not only questioned and controverted but contradicted and a Command that is should not be obeyed, is a high Breach of the Priviledge of Parliament.
3. That those Persons that advised his Majestie to absent himself from the Parliament, are Enemies to the Peace of the Kingdome, and justly to bee suspected to bee Favourers of the Rebellion in Ireland.

That the Kingdome hath bene of late, and still is in evident and imminent danger, both from Enemies abroad and a Popish and discontented party at home, that there is an urgent and inevitable necessitie of putting his Majesties Subiects into a Posture of Defence, for the safeguard both of his Majestie and his People.

That the Lords and Commons fully apprehending this Danger, and being sensible of their owne Duty, to provide a sutable Prevention, have in severall Petitions addressed themselves to his Majestie for the ordering and disposing of the Militia of the Kingdome, in such a way as was agreed upon by the wisdom of both Houses to be most effectuell and proper for the present Exigents of the Kingdome, yet could not obtaine it, but his Majestie did severall times refuse to give his royall assent therunto.

That in this case of extreame Danger, and his Majesties refusall, the Ordinance of Parliament, agreed upon by both Houses for the Militia, doth oblige the People, and ought to be obeyed by the Fundamentall Lawes of this Kingdome.

BY all which it doth appeare, that there is no colour of this Tax, that we goe about to introduce a new Law, much lesse to exercise an Arbitrary power, but indeed to prevent it: For this Law is as old as the Kingdome, That the Kingdome must not be without a meanes to preserve it self: Which that it may be done without Confusion, this Nation hath intrusted certaine hands with a Power, to provide in an Orderly and Regular Way for the good and safety of the whole, which Power by the Constitution of this Kingdom is in his Majesty and His Parliament together; yet since the Prince being but One Person, is more subject to Accidents of Nature and Chance, whereby the Common-wealth may be deprived of the Fruit of that Trust, which was in part reposed in him in Cases of such Necessity; That the Kingdome may not be enforced presently to returne to it's first Principles, and every man left to doe what is right in his owne eyes, without either guide or Rule: the Wise-dome of this State hath intrusted the Houses of Parliament with a Power, to supply what shall be wanting on the part of the Prince, as is evident by the constant Custome and Practise thereof in Cases of Non-age, naturall Disability and Captivity, and the like Reason doth and must hold for the exercise of the same Power in such Cases, where the Royall Trust cannot be or is not discharged, and that the Kingdome runs an evident and imminent Danger thereby, which Danger having beene declared by the Lords and Commons in Parliament, there needes not the Authority of any Person or Court to affirm, Nor is it in the Power of any Person or Court to revoke that Judgement.

¶ We know the King hath wayes enough in his Ordinary Courts of Justice, to punish such seditious Pamphlets and Sermons as are any way prejudiciall to his Rights, Honour and Authority: And if any of them have beene so insolently violated and vilified, his Majesties owne Councell and

and Officers have beene to blame, and not the Parliament: We never did reſtraine any Proceedings of that kind in other Courts, nor reſuſe any fit complaint to us. The Proteſtation proteſted was reſerr'd by the Commons Houſe to a Committee, and the Author being not produced, the Printer committed to Priſon, and the Booke voted by that Committee to be burnt: but Sir *Edward Deering* who was to make that Report of the votes of that Committee, neglected to make it: The Apprentices Proteſtation was never complained of; but the other ſeditious Pamphlet, *To your Tents O Iſraell*, was once queſtioned, and the full proſecution of it was not interrupted by any fault of either Houſe, whoſe forwardneſſe to doe his Maſtie all right therein may plainly appeare, in that a Committee of Lords and Commons purpoſely appointed to take ſuch Informations, as the Kings Counſell ſhould preſent concerning ſeditious words Practiſes, or Tumults Pamphlets, or Sermons, tending to the derogation of his Maſties Rights or Prerogative, and his Maſties Councell were enjoyned by that Committee to inquire, and preſent them, who ſeverall times met thereupon and received this Anſwer, and declaration from the Kings Councell, that they knew of no ſuch thing as yet.

If his Maieſtie had uſed the Service of ſuch a one in penning this Anſwer, who underſtood the Lawes and Government of this Kingdome, hee would not have thought it legally in his power to deny his *Parliament* a guard when they ſtood in need of it, ſince every ordinary Court hath it: neither would his Maieſty if he had been well inform'd of the Lawes, have reſuſed ſuch a Guard as they deſired, it being in the power of inferiour Courts to command their owne Guard; neither would hee have impoſed upon them ſuch a Guard under a Commander which they could not confide in, which is clearly againſt the *Priviledge of Parliament*, and

of which they found very dangerous effects; and therefore desired to have it discharged: But such a Guard, and so commanded as the Houses of *Parliament* desired, they could never obtaine of his Maiestie, and the placing of a Guard about them contrary to their desire, was not to grant a guard to them, but in effect to set one upon them.

All which considered, wee beleeeve in the iudgement of any indifferent Person, it will not bee thought strange, if there were a more then ordinary resort of people at *Westminster*; of such as came willingly of their owne accord to be witnesses and helpers of the safety of them, whom all his Maiesties good subjects are bound to defend from Violence and Danger: Or that such a Concourse as this, they carrying themselves quietly and peaceably (as they did) ought in his Maiesties apprehension, or can in the interpretation of the Law be held Tumultuary and seditious.

When his Maiestie in that Question of violation of the Lawes had expressed the observation of them indefinitely without any limitation of time, although we never said or did any thing that might look like a reproch to his Maiesty; yet we had reason to remember that it had been otherwise, lest we should seeme to desert our former Complaints and Proceedings thereupon, as his Maiestie doth seeme but little to like or approve of them: For although hee doe acknowledge here that great mischief that grew by that Arbitrary power then complained of; Yet such are continually prefer'd and countenanc'd, as were Friends or Favourers, or related unto the chiefe *Authors* and *Actors* of that *Arbitrary power*, and of those false Colours, Suggestion of imminent Danger and Necessity, whereby they did make it plausible unto his Maiestie; and on the other side, such as did appeare against them, are dayly discountenanc'd and
di gra-

disgraced; which, whilst it shall do so, we have no reason to iudge the Disease to bee yet kill'd and dead at roote; and therefore no reason to bury it in Oblivion: and whilst wee behold the Spawnes of these mischievous Principles cherish'd and fostered in that new generation of Councillors, Friends and Abettors of the former, or at least concurring with them in these mischievous Principles cherish'd and fostered in that new generation of Councillors, friends and abettors of the former, or at least concurring with them in their malignancie against the proceedings of this *Parliament*, we cannot thinke our selves secure from the like or a worse danger.

And here the Penner of this answer bestowes an admonition upon the Parliament, bidding us take heed we fall not upon the same error, upon the same suggestions; but hee might have well spared this, till he could have shewed wherein we had exercised any power otherwise then by the rule of the Law, or could have found a more authentique or higher Judge in matter of Law, then the high Court of Parliament.

It is declared in his Majesties name, that he is resolved to keep the rule himselfe, and to his power, to require the same of all others: We must needs acknowledge, that such a resolution is like to bring much happinesse and blessing to his Majesty and all his Kingdomes; yet with humility wee must confesse wee have not the fruit of it in that case of my Lord *Kimbolton*, and the other five Members accused, contrary to Law, both Common Law, and the Statute Law; and yet remaineth unsatisfied; which case was remembred in our Declaration, as a strange and unheard of violation of Lawes: but the Penner of this Answer thought it fit to passe it over, hoping that many would reade his Majesties Answer, which
hath

hath beene so carefully dispersed, which would not reade our Declaration.

Whereas after our ample thanks and acknowledgement of his Majesties favour in passing many good Bills, *wee said that Truth and Necessity enforced us to adde this; That in or about the time of passing those Bills, some Designe or other hath been afoot, which if it had taken effect, would not only have deprived us of the fruit of those Bills, but would have reduced us to a worse condition of confusion then that wherein the Parliament found us; it is now told us, that the King must be most sensible of what we cast upon him for requitall of those good Bills, whereas out of our usuall tenderesse of his Majesties honour we did not mention him at all, but so injurious are those wicked Counsellors to the name & honour of their Master and Sovereign, that as much as they can, they lay their owne infamy and guilt upon his shoulders; Here God also is called to witnesse his Majesties upright intentions at the passing of those Lawes, this we will not question, neither did we give any occasion of such a solemne asseveration as this is, The Diuell is likewise defied to prove there was any designe with his Majesties knowledge or privy, this might wel have bin spared, for we spoke nothing of his Majestie; but since we are so farre taxed, as to have it affirmed, that we laid a notorious and false imputation upon his Majesty, we have thought it necessary for the just defence of our owne innocency, to cause the Oaths and Examinations which have been taken concerning the designe to be published in a full narration for satisfaction of all his Majesties Subjects, out of which we shall now offer some few particulars whereby the world may judge, whether wee could have proceeded with more tenderesse towards his Majesty, then wee have done; Master Goring, confesseth that the King first askt him whether hee were engaged in any Caball concerning the*
Army

Army, and commanded him to joyn with Master *Pearcy*, and Master *Jermyn*, and some others whom they should finde within at Master *Pearcies* Chamber, where they took the Oath of Secrecy, and then debated of a designe propounded by Master *Jermyn* to secure the Towre, and to consider of bringing up the Army to London; and Captaine *Legg* confessed he had received the draught of a Petition in the Kings presence, and his Majesty acknowledgeth it was from his owne hand, and whosoever reads the summe of that Petition, as it was proved by the testimony of Sir *Jacob Ashley*, Sir *John Connyers*, and Captaine *Legg* will easily perceive some points in it apt to beget in them some discontent against the Parliament, and can any man beleieve there was no designe in the accusation of the Lord *Kymbolton*, and the rest, in which his Majestie doth avow himselfe to bee both Commander and an Actor, these things being so it will easily appeare to be as much against the Rules of Prudence, that the Penner of this Answer should intangle, as it is against the Rules of Justice, that any reparation from us, should bee either yeilded or demanded.

It is profest in his Majesties Name that he is truly sensible of the burthens of his people, which makes us hope that he will take that course which will be most effectuall to ease them of those burthens, that is, to joyn with his Parliament, in preserving the Peace of the Kingdome, which by his absence from them hath beene much indangered, and which by hindering the voluntary adventures for recovery of *Ireland*, and disabling the Subjects to discharge the great tax laid upon them, is like to make the Warre much more heavy to the Kingdome. And for his Majesties wants, the Parliament hath beene no cause of them: Wee have not diminished his just

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Revenue

Revenue, but have much eased his Publique charge, and somewhat his private, and We shall be ready in a Parliamentary way to settle his Revenue in such an honourable proportion as may be answerable to both, when he shall put himselfe into such a posture of government, that his Subjects may be secure to enjoy his just protection for their Religion, Lawes, and Liberties.

We never refused his Majesties gracious offer of a free and generall Pardon, onely We said it could be no security to our present feares and jealousies, and Wee gave a reason for it, That those feares did not arise out of any guilt of our owne Actions, but out of the evill designs and attempts of others, and We leave it to the World to Judge; whether We herein have deserved so heavy a tax and exclamation That it was a strange world when Princes proffered favours, are counted reproaches; (such are the words of his Majesties answer) who doe esteeme that offer as an Act of Princely Grace and Bounty, which since this Parliament began We have humbly desired we might obtaine, and doe still hold it very necessary and advantageous for the generality of the Subject, upon whom these Taxes and Subsidies lye heaviest, but We see upon every occasion how unhappy We are in his Majesties misapprehensions of our words and actions.

We are fully of the Kings minde as it is here declared that he may rest so secure of the affections of his Subjects, that he should not stand in need of Forraign force, to preserve him from oppression, and are confident that he shall never want an abundant evidence of the good wishes and assistance of his whole Kingdome, especially if he shall be pleased to hold to that gracious Resolution of building upon that sure foundation, the Law of the Land. But why his Majesty should take it ill that We having received

ed Informations so deeply, concerning the safety of the Kingdome, and should thinke them fit to be considered off; We cannot conceive, for although the name of the Person was unknowne, yet that which was more substanti- all to the probability of the Report, was knowne; (that is, that he was servant to the Lord *Digby*, who in his presumptuous Letter to the Queenes Majestie, and other Letters to Sir *Lewis Dives*, had intimated some wicked preposition sutable to that Information, but that this should require Reparation: We hold it as farre from Justice as it is from Truth, that We have mixt any malice with these Rumours, thereby to seede the feares and jealousies of the people.

It is affirmed, his Majestie is driven (but not by us yet;) from us perchance hereafter, if there be oportunity of gaining more credit, there will not be wanting who will suggest unto his Majesty that it is done by us; and if his Majesty were driven from us, We hope it was not by his owne feares, but by the feares of the Lord *Digby* and his Retinue of Cavileers, and that no feares of any tumultuary violence but of their just punishment for their manifold Insolence, and intended violence against the Parliament; and this is exprest by the Lord *Digby* himselfe, when he told those Cavileers that the principall cause of his Majesties going out of Towue, was to save them from being trampled in the dirt, but of his Majesties Person, there was no cause of feare in the greatest heate of the peoples indignation, after the accusation, and his Majesties violent comming to the House, there was no shew of any evill intention against his Regall Person, of which there can be no better evidence then this, that he came the next day without a guard into the Citie, where he heard nothing but Prayers and Petitions, no threatnings or in-

reverent speeches that might give him any just occasion of feare that We have heard of, or that his Majestie exprest, for he staid neare a weeke after at White-hall in a secure and peaceable condition, whereby we are induced to beleeve that there is no difficultie nōr doubt at all, but his Majesties Residence neare London may be as safe, as in any part of the Kingdome. We are most assured of the faithfullnesse of the City and Suburbs, and for our selves, we shall quicken the vigor of the Lawes, the industry of the Magistrate, the authority of Parliament, for the suppressing of all tumultuary insolencies whatsoever; and for the vindicating of his honour, from all insupportable and insolent scandals, if any such shall be found to be raised upon him as are mentioned in this Answer, and therefore We thinke it altogether unnecessary, and exceeding inconvenient to adjourne the Parliament to any other Place.

Where the desire of a good understanding betwixt the King and the Parliament, is on both parts so earnest as is here protest of his Majestie to be in him; And We have sufficiently testified to be in our selves, it seemes strange We should be so long asunder, it can be nothing else but evill and malicious Councell, misrepresenting our carriage to him, and in disposing his favour to us, and as it shall be farre from us to take any advantage of his Majesties supposed straights, as to desire, much lesse to compell him to that which his honour or interest may render unpleasant and grievous to him; So We hope that his Majestie will not make his owne understanding or reason, the rule of his government, but will suffer himselfe to be assisted with a wise and prudent Councell, that may deale faithfully betwixt him and his people, and that he will remember that his resolutions doe concerne a Kingdome:

And

And therefore ought not to be moulded by his owne, much lesse by any other private person, which is not a light proportionable to so great a trust, and therefore we still desire and hope that his Majesty will not be guided by his owne understanding, or to thinke those courses, straights, and necessities, to which he shall be advised by the wisdom of both Houses of Parliament; which are the eyes in this Politick Body, whereby his Majestie is by the constitution of this Kingdome, to discern the differences of those things which concerne the Publick Peace and safety there; of We have given his Majestie no cause to say, that We doe meanelly value the discharge of his Publick duty, whatsoever Acts of Grace or Justice have been done, they proceeded from his Majestie by the advice and Councell of his Parliament. Yet we have and shall alwayes answer them with constant gratitude, obedience, and affection, and although many things have beene done since this Parliament, of another nature, yet we shall not cease to desire the Continued protection of Almighty God, upon his Majesty; and most humbly Petition him to cast from him all those evill and contrary Councells, which have in many particulars formerly mentioned, much detracted from the honour of his government, the happinesse of his owne, estate and prosperity of his people.

And having past so many dangers from abroad, so many Conspiracies at home, and brought on the publick worke so farre through the greatest difficulties that ever stood in opposition to a Parliament, to such a degree of Successe that nothing seemes to be left in our way able to hinder the full accomplishment of our desires, and in-deavours for the Publick good, unlesse God in his Justice doe send such a grievous curse upon us as to turne the

strength of the Kingdome against it selfe, and to effect
 that by their owne follie and credulitie, which the power
 and subtilty of their and our, Enemies could not attaine,
 that is, to Divide the people from the Parliament; and
 to make them serviceable to the ends and aimes of
 those who would destroy them, therefore Wee desire the
 Kingdome to take notice of this last most desperate and
 mischievous plot of the malignant party, that is acted
 and prosecuted in many partes of the kingdome under
 plausible motion of stirring them up to a care of preserv-
 ing the Kings Prerogative, maintaineing the discipline
 of the Church, upholding and continuing the Reverence
 and solemnity of Gods service encouraging of learning, &
 upon these grounds divers mutinous petitions have been
 framed in London, Kent, and other Counties, and sundry
 of his Maiestis subjects have been solicited to declare
 themselves for the King, against the Parliament and
 many false and fowle aspersions have been cast upon our
 proceedings as we had been not onely negligent, but averse
 in these pointes, whereas we desire nothing more, then to
 maintaine the purity and power of Religion, and to honor
 the King in all his Just Prerogatives, and for Incourage-
 ment and advancement of Piety and Learning we have
 very earnestly endeavoured, and shall doe to the uttermost
 of our power that all Parishes may have learned, pious,
 and sufficient Preachers, and all such Preachers, competent
 livings : Many other Bills and propositions are in prepa-
 ration for the Kings profit and honour, the peoples safety,
 and prosperity, in the proceedings whereof We are much
 hindered by his Majesties absence from the Parliament,
 which is altogether contrary to the use of his Predeces-
 sors, and the Priviledges of Parliament : whereby our
 time is consumed by a multitude of unnecessary Messages,
 and

and our Innocency wounded by causlesse and sharpe In-
 vectives ; yet we doubt not, but we shall overcome all this
 at last, if the people suffer not themselves to be deluded
 with false and specious shews, and so drawne to betray us
 to their owne undoing, who have ever been willing to ha-
 zard the undoing of our selves, that they might not be be-
 trayed by our neglect of the trust reposed in us : but if it
 were possible they should prevaile herein, yet we would
 not faile, through Gods grace, still to persist in our duties,
 and to looke beyond our owne lives, estates, and advanta-
 ges, as those who think nothing worth the enjoying with-
 out the liberty, peace and safety of the Kingdome ; nor any
 thing too good to be hazarded in discharge of our Con-
 sciences for the obtaining of it : and shall alwayes repose
 our selves upon the protection of Almighty God, which
 We are confident shall never be wanting to us (while We
 seek his glory) as we have found it hitherto wonderfully,
 going along with us in all our proceedings.

IT is His Majesties pleasure that you forthwith Print in very
 good paper, and send unto me for His Majesties service, forty
 Copies of the Proclamation inclosed, leaving a convenient space
 for His Majestie to Signe above, and to fixe the Privie Signet
 underneath. And His Majesties expresse Command is, that you
 Print not above the said number of forty Copies, and forbear to
 make any further publication of them, till his pleasure be further
 signified, for which this shall be your warrant.

White-Hall, 2. January 1641.

Edw. Nicholas.

For His Majesties Printer.

